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FAIRCHILD SEMICONDUCTOR CORPORATION

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALPHA & OMEGA SEMICONDUCTOR,
INC., a California corporation; and
ALPHA & OMEGA SEMICONDUCTOR,
LTD., a Bermuda corporation,

Plaintiffs and Counterdefendants,

v.

FAIRCHILD SEMICONDUCTOR
CORP., a Delaware corporation,

Defendant and Counterclaimant.

AND RELATED COUNTERCLAIMS.

Case No. C 07-2638 JSW (EDL)
(Consolidated with Case No. C 07-2664 JSW)

**DECLARATION OF LEONARD J.
AUGUSTINE, JR. IN SUPPORT OF
ADMINISTRATIVE MOTION FOR AN
ORDER PERMITTING THE FILING OF
DOCUMENTS UNDER SEAL
PURSUANT TO CIVIL L.R. 79-5(c)**

Date: September 16, 2008
Time: 2:00 p.m.
Courtroom: E, 15th Floor
Hon. Elizabeth D. Laporte

1 I, Leonard J. Augustine, Jr., declare as follows:

2 1. I am an attorney and member in good standing of the State Bar of California and the
3 Bar of this Court. I am an associate attorney in the law firm of Townsend and Townsend and Crew
4 LLP ("Townsend"), counsel for Defendant Fairchild Semiconductor Corp. ("Fairchild"). I have
5 personal knowledge of the matters stated, except where otherwise indicated, in this Declaration and
6 could competently testify to them if I were called as a witness.

7 2. On August 2, 2007, the Court entered a Stipulated Protective Order [Docket No. 27] in
8 this case.

9 3. On September 3, 2008, Fairchild lodged with the clerk "Confidential Exhibit 2" and
10 "Confidential Exhibit 3" attached to the Declaration of Leonard J. Augustine, Jr. in Support of
11 Fairchild Semiconductor Corporation's Reply to AOS's Opposition Motion To Fairchild's Motion to
12 Compel Production of Documents ("Declaration of Leonard J. Augustine, Jr.").

13 4. Fairchild's Confidential Exhibit 2 and Confidential Exhibit 3 to the Declaration of
14 Leonard J. Augustine, Jr. are sealable under the Court's Protective Order and Local Rules because the
15 documents contains information of Fairchild that: (1) is confidential; (2) has not been disclosed to the
16 public; and (3) could, if disclosed to the general public, cause harm to Fairchild's competitive
17 positions. Accordingly, Fairchild requests that the documents remain sealed.

18
19 I declare under penalty of perjury under the laws of the United States that the foregoing is true
20 and correct and that this Declaration was executed on September 3, 2008 at San Francisco, California.

21
22 /s/ Leonard J. Augustine, Jr.
23 Leonard J. Augustine, Jr.

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